

To the Joint Committee, March 17, 2009

Public Testimony
Spring Lake Wetland Watch

Dear Representatives,

We are concerned that the Governor's plan to turn wetland protection back to the federal government is flawed for the following reasons:

1. The DEQ has a 90 day permitting process. This allows homeowners and developers to make timely decisions and plans. The EPA and Army Corps, under the Clean Water Act, have no such time requirement, and in fact, have considerable backlogs in neighboring states.
2. The Clean Water Act requires states to provide 401 Clean Water Certification. What state agency or structure would provide such certification? What funds would this require? Why dismantle our existing DEQ wetland program if we would need to create a new 401 certification program?
3. If the proposed change goes forward, what provisions would be made to protect isolated wetlands that are two acres or less that are not protected by the Clean Water Act? Are we prepared, as a state, for those wetlands to be unprotected?
4. Neighboring states, i.e. Wisconsin and Ohio, have, over several years, developed protective strategies for their wetlands. Michigan has no such network of protective ordinances, non-profit organizations, or well-established 401 certification programs that would be able to fill the protection gap left by the proposed changes.

This budget cutting change was originally proposed as a simple removal of a duplicated service. Clearly this is not the case. We urge the joint committee to take this issue out of the immediate budget process, and engage in deliberation that would address how to continue to protect the remaining wetlands in our state, more efficiently and more uniformly. The bottom line is that wetland protection is not a luxury, and should not be hastily dealt with.

Wally Obits, President, Spring Lake Wetland Watch
Leslie Newman, Vice President, Spring Lake Wetland Watch
Doris Ducey, Treasurer, Spring Lake Wetland Watch